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2021 DEC 13 AM 10:05

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

Lamar Harvey

Write the full name of each plaintiff.

CV

(Include case number if one has been assigned)

-against-

Creedmoor Psychiatric Center;  
Office of Mental Health

**COMPLAINT**

Do you want a jury trial?

☒ Yes ☐ No

Write the full name of each defendant. If you need more space, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed above must be identical to those contained in Section II.

**NOTICE**

The public can access electronic court files. For privacy and security reasons, papers filed with the court should therefore *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number. See Federal Rule of Civil Procedure 5.2.

## I. BASIS FOR JURISDICTION

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation, and the amount in controversy is more than \$75,000, is a diversity case. In a diversity case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal-court jurisdiction in your case?

☒ **Federal Question**

☐ **Diversity of Citizenship**

### A. If you checked Federal Question

Which of your federal constitutional or federal statutory rights have been violated?

Access to the Court.

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### B. If you checked Diversity of Citizenship

#### 1. Citizenship of the parties

Of what State is each party a citizen?

The plaintiff, \_\_\_\_\_, is a citizen of the State of \_\_\_\_\_  
(Plaintiff's name)

\_\_\_\_\_  
(State in which the person resides and intends to remain.)

or, if not lawfully admitted for permanent residence in the United States, a citizen or subject of the foreign state of \_\_\_\_\_

\_\_\_\_\_  
If more than one plaintiff is named in the complaint, attach additional pages providing information for each additional plaintiff.

If the defendant is an individual:

The defendant, \_\_\_\_\_, is a citizen of the State of  
(Defendant's name)

\_\_\_\_\_  
or, if not lawfully admitted for permanent residence in the United States, a citizen or  
subject of the foreign state of

\_\_\_\_\_  
If the defendant is a corporation:

The defendant, \_\_\_\_\_, is incorporated under the laws of  
the State of \_\_\_\_\_

and has its principal place of business in the State of \_\_\_\_\_

or is incorporated under the laws of (foreign state) \_\_\_\_\_

and has its principal place of business in \_\_\_\_\_.

If more than one defendant is named in the complaint, attach additional pages providing  
information for each additional defendant.

## II. PARTIES

### A. Plaintiff Information

Provide the following information for each plaintiff named in the complaint. Attach additional  
pages if needed.

Lamar R. Harvey  
First Name Middle Initial Last Name

79-25 Winchester Blvd, Ward 9B  
Street Address

Queens Village N.Y. 11427  
County, City State Zip Code

(718) 264-5012  
Telephone Number Email Address (if available)

**B. Defendant Information**

To the best of your ability, provide addresses where each defendant may be served. If the correct information is not provided, it could delay or prevent service of the complaint on the defendant. Make sure that the defendants listed below are the same as those listed in the caption. Attach additional pages if needed.

Defendant 1: Creedmoor Psychiatric Center  
 First Name Last Name  
N/A  
 Current Job Title (or other identifying information)  
79-25 Winchester Blvd., Wood  
 Current Work Address (or other address where defendant may be served)  
Queens Village N.Y. 11427  
 County, City State Zip Code

Defendant 2: ~~Dominic~~ L.H. Office of Mental Health  
 First Name Last Name  
Care Provide  
 Current Job Title (or other identifying information)  
44 Pearl<sup>Litt</sup> Street + Holland AVE.  
 Current Work Address (or other address where defendant may be served)  
Albany N.Y. 12208  
 County, City State Zip Code

Defendant 3:  
 First Name Last Name  
 Current Job Title (or other identifying information)  
 Current Work Address (or other address where defendant may be served)  
 County, City State Zip Code

Defendant 4:

First Name

Last Name

Current Job Title (or other identifying information)

Current Work Address (or other address where defendant may be served)

County, City

State

Zip Code

**III. STATEMENT OF CLAIM**Place(s) of occurrence: Creedmoor Psychiatric CenterDate(s) of occurrence: November 5<sup>th</sup> 2021**FACTS:**

State here briefly the FACTS that support your case. Describe what happened, how you were harmed, and what each defendant personally did or failed to do that harmed you. Attach additional pages if needed.

On or about November 5th, 2021 I requested access to a law-library so I could petition the Courts for redress of my grievances to Creedmoor Psychiatric Center's "Chief of Service", which was denied on the basis that: "Creedmoor Psychiatric Center does not have a law-library nor access to any legal material."

SEE - Exhibit 1.

Not having access to a law-library prevents me from conducting legal-research, obtaining legal materials and other privileges I should be afforded under the federal constitution. So it seems these civil liberties of mine are exempt, and non-existent.

Additionally, my access to the Court issue(s) originates from my many requests for law-library access so I could

File a petition in the New York State Court of Claims, for an iPad that was stolen. Because I couldn't do research for this claim in a law-library I totally lost my case.

#### INJURIES:

If you were injured as a result of these actions, describe your injuries and what medical treatment, if any, you required and received.

Mental anguish and stress related high blood pressure

#### IV. RELIEF

State briefly what money damages or other relief you want the court to order.

An injunction to have Creedmoor provide a law-library and access to legal material.

Punitive damages for violation of federal constitutional rights, in the amount of: \$25,000.00.

Monetary damages for violation of clearly established established law, in the amount of: \$225,000.00.

**V. PLAINTIFF'S CERTIFICATION AND WARNINGS**

By signing below, I certify to the best of my knowledge, information, and belief that: (1) the complaint is not being presented for an improper purpose (such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation); (2) the claims are supported by existing law or by a nonfrivolous argument to change existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Federal Rule of Civil Procedure 11.

I agree to notify the Clerk's Office in writing of any changes to my mailing address. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Each Plaintiff must sign and date the complaint. Attach additional pages if necessary. If seeking to proceed without prepayment of fees, each plaintiff must also submit an IFP application.

11/26/21 <sup>L.H.</sup>  
 Dated \_\_\_\_\_ Plaintiff's Signature Lamar Haneef  
Lamar R Haneef  
 First Name Middle Initial Last Name  
79-25 Winchester Blvd.  
 Street Address  
Queens Queens Village N.Y. 11427  
 County, City State Zip Code  
718-264-5012  
 Telephone Number Email Address (if available)

I have read the Pro Se (Nonprisoner) Consent to Receive Documents Electronically:

☒ Yes ☐ No

If you do consent to receive documents electronically, submit the completed form with your complaint. If you do not consent, please do not attach the form.

Form BPR 973A (MH) (10/01)

Ref. No: 11525709



# **PERSONAL NEEDS ALLOWANCE NOTICE** **(INPATIENT)**

7/14/2021

For Patient Resource Use Only DATA ENTRY INSTRUCTIONS	
ELIG CODE	PNA AMT
1	\$ 35.00

0 = Unknown  
 1 = Eligible for full PNA  
 2 = Eligible for partial PNA  
 3 = Not Eligible

Date 7/14/2021  
 Patient HARVEY, LAMAR  
 Patient 005 - 0125932  
 "C" No. CREEDMOOR  
 Facility 135  
 Ward \_\_\_\_\_

Eligibility requirements: *Available income less than the applicable SSI income allowance.*  
*Assets less than the current SSI resources levels.*  
*Residence for full calendar month.*

☒ You are eligible to receive a Personal Needs Allowance of \$ \$ 35.00.

Your first payment will be for the month of 06/2021 (provided you remain in the facility until the end of the month) and you can expect to receive the payment during the month of 07/2021.

☐ Your Personal Needs Allowance is changed to \$ \_\_\_\_\_ effective the month of \_\_\_\_\_.

☐ You are not eligible for Personal Needs Allowance based on

- ☐ Your Income  
☐ Your Assets  
☐ Failure to Provide Information

☐ A repayment in the amount of \$ \_\_\_\_\_ is due.

Remarks:

If you have any questions regarding this decision, contact the Patient Resource Office.

White — Patient    Canary — Date Entry    Pink — File



11/12/21

I Lamar Harvey requested to use the Law Library and Lawlibrary material. My request was denied. The chief of service made this decision. He presides over Creedmoor psychiatric center.

Request date 11/5/21

writer,  
Lamar Harvey  
Lamar Harvey  
S. M. M. M.  
Witness (T. T. L.)  
Treatment team Leader

Addendum: The request was denied as Creedmoor Psychiatric Center does not have a law library nor access to any legal material.

S. M. M. M.



Lamar Harvey

79-25 Winchester Blvd.

Queens Village, N.Y. ~~11427~~ 11427

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USMP3  
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Southern District Court  
500 Pearl St.  
N.Y., N.Y 10007

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S.D.N.Y.

Pro Se  
JR

